



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL A. ABRACZINSKAS
Acting Director

INSERT DATE

Mr. Adam Chase
President
NEPTCO, Inc.
295 University Ave.
Westwood, MA 02090

Dear Ms. Kilsey:

SUBJECT: Air Quality Permit No. 04180T21
Facility ID: 1400100
NEPTCO, Inc.
Lenoir, North Carolina
Caldwell County
Fee Class: Title V

In accordance with your completed Air Quality Permit Application for renewal of your Title V permit received February 14, 2011, we are forwarding herewith Air Quality Permit No. 04180T21 to NEPTCO, Inc., 2012 Hickory Blvd., Lenoir, Caldwell County, North Carolina, authorizing the construction and operation of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been listed for informational purposes as an "ATTACHMENT." Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

If any parts, requirements, or limitations contained in this Air Quality Permit are unacceptable to you, you have the right to request a formal adjudicatory hearing within 30 days following receipt of this permit, identifying the specific issues to be contested. This hearing request must be in the form of a written petition, conforming to NCGS (North Carolina General Statutes) 150B-23, and filed with both the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 and the Division of Air Quality, Permitting Section, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings.

Please note that this permit will be stayed in its entirety upon receipt of the request for a hearing. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.

You may request modification of your Air Quality Permit through informal means pursuant to NCGS 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of NCGS 143-215.108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of NCGS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

This Air Quality Permit shall be effective from INSERT DATE to INSERT DATE, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

Should you have any questions concerning this matter, please contact Mr. Charles F. Yirka, at (919) 707-8728 or Charlie.Yirka@ncdenr.gov.

Sincerely yours,

William D. Willets, P.E., Chief, Permitting Section
Division of Air Quality, NCDEQ

Enclosure

c: Heather Ceron, EPA Region 4 (with review)
Asheville Regional Office
Central Files

ATTACHMENT to Cover Letter to Air Quality Permit Number 04180T21

Table of Changes

Pages	Section	Description of Changes
Cover Letter	-	-amended all dates, permit revision numbers and signature -removed paragraph associated with control device (ID No. CD-1) and previous minor modification of the Title V Air Permit
1	-	-amended all dates, application number, permit revision numbers and signature
All	Header	-amended permit revision number
3	1	- removed footnote associated with control device (ID No. CD-1) and previous minor modification of the Title V Air Permit
5	2.1 A (Table)	-removed reference to 15A NCAC 02D .0958 as this rule no longer applies. -removed reference to 15A NCAC 02Q .0705 as this rule no longer applies. -removed reference to 15A NCAC 02D .1100 as this rule no longer applies.
12	2.1 A.6.	- removed the permit conditions associated with regulation 15A NCAC 02D .1100 as this rule no longer applies.
14-15	2.2 A (Table) 2.2 A. 2. 2.2 A. 3.	-removed reference to 15A NCAC 02D .0958 as this rule no longer applies. -removed reference to 15A NCAC 02Q .0705 as this rule no longer applies. - removed the permit conditions associated with regulation 15A NCAC 02D .0958 as this rule no longer applies. - removed the permit conditions associated with regulation 15A NCAC 02Q .0705 as this rule no longer applies.
26-36	General Conditions	-updated shell conditions (version 4.0)

ATTACHMENT to Cover Letter to Air Quality Permit Number 04180T21

Insignificant Activities per 15A NCAC 02Q .0503(8)

Emission Source ID No.	Emission Source Description
I1	One 101 Corona treater
I2	One 102 Corona treater
I3	One 103 Corona treater
I4	One 104 Corona treater
I5 I6	Two underground organic liquid storage tanks (5,000 gallon capacity, each)

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the Permittee is exempted from demonstrating compliance with any applicable requirement.
2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 02D .1100 "Control of Toxic Air Pollutants" or 02Q .0711 "Emission Rates Requiring a Permit."
3. For additional information regarding the applicability of MACT or GACT see the DAQ page titled "Specific Permit Conditions Regulatory Guide." The link to this site is as follows:
<http://deq.nc.gov/about/divisions/air-quality/air-quality-permits/specific-permit-conditions-regulatory-guide>.



State of North Carolina
Department of Environmental Quality
Division of Air Quality

AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
04180T21	04180T20	INSERT DATE	INSERT DATE

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 02D and 02Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 02Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

Permittee: NEPTCO, Inc.

Facility ID: 1400100

Facility Site Location: 2012 Hickory Blvd.
City, County, State, Zip: Lenoir, Caldwell County, North Carolina 28645-1766

Mailing Address: 295 University Ave.

City, State, Zip: Westwood, MA 02090

Application Number: 1400100.15A
Complete Application Date: October 1, 2015

Primary SIC Code: 2671
Division of Air Quality,
Regional Office Address: Asheville Regional Office
2090 US Highway 70
Swannanoa, North Carolina 28778

Permit issued this the INSERT DATE

William D. Willets, P.E., Chief, Air Permitting Section
By Authority of the Environmental Management Commission

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ATTACHMENT

List of Acronyms

DRAFT

SECTION 1- PERMITTED EMISSION SOURCE(S) AND ASSOCIATED AIR POLLUTION CONTROL DEVICE(S) AND APPURTENANCES

The following table contains a summary of all permitted emission sources and associated air pollution control devices and appurtenances:

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
ES101 and ES102 (NSPS, Subpart RR; MACT Subpart JJJJ)	Two polymer film and metal foil coating and laminating operations with natural gas-fired dryers (2.0 and 1.6 million Btu per hour maximum heat input capacity, respectively) and permanent total enclosures	CD1	One natural gas-fired thermal oxidizer (4.5 million Btu per hour maximum heat input capacity)
ES103 (NSPS, Subpart RR; MACT Subpart JJJJ)	One polymer film and metal foil coating and laminating operation with natural gas-fired dryer (3.83 million Btu per hour maximum heat input) and permanent total enclosure	CD2	One natural gas-fired thermal oxidizer (2.02 million Btu per hour maximum heat input capacity)
ES104 (NSPS, Subpart RR; MACT Subpart JJJJ)	One polymer film and metal foil coating and laminating operation with natural gas-fired dryer (5.6 million Btu per hour maximum heat input capacity) and permanent total enclosure	CD3	One natural gas-fired thermal oxidizer (3.2 million Btu per hour maximum heat input capacity)
ES105 (NSPS, Subpart RR; MACT Subpart JJJJ)	One polymer film and metal foil tandem coating and laminating operation with natural gas-fired dryer (14.5 million Btu per hour maximum heat input capacity) and permanent total enclosure	CD4	One natural gas-fired thermal oxidizer (10.0 million Btu per hour maximum heat input capacity)
F1	Mixing Room	NA	NA

SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

2.1- Emission Source(s) and Control Devices(s) Specific Limitations and Conditions

The emission source(s) and associated air pollution control device(s) and appurtenances listed below are subject to the following specific terms, conditions, and limitations, including the testing, monitoring, recordkeeping, and reporting requirements as specified herein:

- A. Two polymer film and metal foil coating and laminating operations (ID Nos. ES101 and ES102) and associated natural gas-fired thermal oxidizer (ID No. CD1)**
One polymer film and metal foil coating and laminating operation (ID No. ES103) and associated natural gas-fired thermal oxidizer (ID No. CD2)
One polymer film and metal foil coating and laminating operation (ID No. ES104) and associated natural gas-fired thermal oxidizer (ID No. CD3)
One polymer film and metal foil tandem coating and laminating operation (ID No. ES105) and associated natural gas-fired thermal oxidizer (ID No. CD4)
One mixing room (ID No. F1)

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	(ID Nos. ES101 through ES105 only) $E = 4.10 \times P^{0.67}$ for $P \leq 30$ tons per hour; or $E = 55.0 \times P^{0.11} - 40$ for $P > 30$ tons per hour Where E = allowable emission rate in pounds per hour P = process weight in tons per hour	15A NCAC 02D .0515
Sulfur dioxide	(ID Nos. ES101 through ES105 only) 2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Volatile organic compounds	(ID Nos. ES101 through ES105 only) NSPS Subpart RR requirements	15A NCAC 02D .0524 (40 CFR 60, Subpart RR)
Volatile organic compounds	Less than 250 tons per consecutive 12-month period	15A NCAC 02Q .0317 (PSD Avoidance)
Odors	State-enforceable only See Section 2.2 A.1	15A NCAC 02D .1806
Hazardous air pollutants	See Section 2.2 B	15A NCAC 02D .1111 (40 CFR 63, Subpart JJJ)

1. 15A NCAC 02D .0515: PARTICULATES FROM MISCELLANEOUS INDUSTRIAL PROCESSES

- a. Emissions of particulate matter from these sources (ID Nos. ES101 through ES105) shall not exceed an allowable emission rate as calculated by the following equations:

$$E = 4.10 \times P^{0.67} \quad \text{for } P \leq 30 \text{ tons per hour; or}$$

$$E = 55.0 \times P^{0.11} - 40 \quad \text{for } P > 30 \text{ tons per hour}$$

Where E = allowable emission rate in pounds per hour
 P = process weight in tons per hour

Liquid and gaseous fuels and combustion air are not considered as part of the process weight.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. The Permittee shall maintain production records such that the process rate “P” in tons per hour, as specified by the formulas contained above can be derived, and shall make these records available to a DAQ authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515 if the production records are not maintained or the types of materials and finishes are not monitored.
- d. No reporting is required for particulate emissions from these sources (**ID Nos. ES101 through ES105**).

2. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from these sources (**ID Nos. ES101 through ES105**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of natural gas in these sources (**ID Nos. ES101 through ES105**).

3. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from these sources (**ID Nos. ES101 through ES105**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of natural gas in these sources (**ID Nos. ES101 through ES105**).

4. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS

For each of these sources (**ID Nos. ES101 through ES105**), the Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in 15A NCAC 02D .0524 “New Source Performance Standards” (NSPS) as promulgated in 40 CFR 60, Subpart RR, including Subpart A “General Provisions”, whenever coating pressure sensitive tape and/or labels. Pursuant to 15A NCAC 02D .0524 and 60.440(b) of Subpart RR, a polymer film and metal foil coating and laminating operation shall not be subject to the emission standards set forth in 60.442 until the amount of VOC input per 12-month period when manufacturing pressure sensitive tape/or label material is greater than 45 Mg (million grams) in a 12-month period, but will be subject to all other applicable requirements of Subpart RR. Once the VOC input for a production line manufacturing pressure sensitive tape and/or label material exceeds 45 Mg in a 12-month period, the production line will then become and remain subject to the emission standard set forth in 60.442(a) and all other applicable sections of Subpart RR 60.440(b). All requests, reports, applications, submittals, and other communications required under 15A NCAC 02D .0524(a) shall be submitted to the Director of the Division of Air Quality rather than to the Environmental Protection Agency (15A NCAC 02D .0524(e)).

- a. **VOC input \leq 45 Mg per 12-month period (only applicable until a production line first reaches 45 Mg per 12-month period).**
 - i. **Monitoring/Recordkeeping** [15A NCAC 02D .0524, 40 CFR 60.445(d)] - The Permittee shall maintain records of the amount of solvent applied by each coating line whenever coating pressure sensitive tape and/or label material. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if these records are not maintained.
 - ii. **Reporting** [15A NCAC 02Q .0508(f)] - When the Permittee begins manufacture of pressure sensitive tape and/or label material, the Permittee shall provide written notice of the start-up to the Regional Supervisor, Division of Air Quality within 15 days of start-up. In addition, the Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.
- b. **VOC input > 45 Mg per 12-month period (effective after 45 Mg per 12-month period is exceeded)**

40 CFR 60 Subpart RR – “Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations”, paragraph 60.442(a) applies to these sources (**ID Nos. ES101 through ES105**) once a coating line VOC input is greater than 45 Mg (~99,000 lbs) of VOC per 12-month period, at which time the line will remain subject to the requirements of 40 CFR 60.440(b) and 40 CFR 60.442(a).

 - i. **Standards** [40 CFR 60.442] – On or after the date on which the performance test required by 60.8 has been completed, the Permittee shall:
 - A. cause the discharge into the atmosphere from an affected facility not more than 0.20 kg VOC/kg of coating solids applied as calculated on a weighted average basis for one calendar month; or
 - B. demonstrate for each affected facility a 90 percent overall VOC emission reduction as calculated over a calendar month; or
 - C. the percent overall VOC emission reduction specified in 60.443(b) as calculated over a calendar month.
 - ii. **Compliance** [40 CFR 60.443] – To determine compliance with 60.442, the Permittee of the affected facility shall calculate a weighted average of the mass of solvent used per mass of coating solids applied for a one calendar month period according to the following procedures:
 - A. determine the weight fraction of organics and the weight fraction of solids of each coating applied by using Reference Method 24 or by the coating manufacturer’s formulation data.
 - B. compute the weighted average by the equation found in 60.443(a)(2).
 - C. for each affected facility where the calculated weighted average mass (kg) of VOC per mass (kg) of coating solids applied each calendar month (“G”) is less than or equal to 0.20 kg VOC/kg of coating solids applied, the affected facility is in compliance with 60.442(a)(1).

- D. to determine compliance with 60.442(a)(2), the Permittee shall calculate the required overall VOC emission reduction according to the equation found in 60.443(b). If the required overall VOC emission reduction (in percent) ("Rq") is greater than or equal to 90 percent, then the required overall VOC emission reduction is Rq. If Rq is greater than 90 percent, then the required overall VOC emission reduction is 90 percent.
- E. where compliance with the emission limit specified in 60.442(a)(2) is achieved through the use of a solvent destruction device, the Permittee shall determine calendar monthly compliance by comparing the monthly required overall VOC emission reduction specified in Section 2.1 A.4.b.i above to the overall VOC emission reduction demonstrated in the most recent performance test which complied with 60.442(a)(2). If the monthly required overall VOC emission reduction is less than or equal to the overall VOC reduction of the most recent performance test, the affected facility is in compliance with 60.442(a)(2).
- F. where compliance with 60.442(a)(2) is achieved through the use of a solvent destruction device, the Permittee shall continuously record the destruction device combustion temperature during coating operations for thermal incineration destruction devices of the gas temperature upstream and downstream of the incinerator catalyst bed during coating operations for catalytic incineration destruction devices. For thermal incineration destruction devices the Permittee shall record all 3-hour periods (during actual coating operations) during which the average temperature of the device is more than 28°C (50°F) below the average temperature of the device during the most recent performance test complying with 60.442(a)(2). For catalytic incineration destruction devices, the Permittee shall record all 3-hour periods (during actual coating operations) during which the average temperature of the device immediately before the catalyst bed is more than 28°C (50°F) below the average temperature of the device during the most recent performance test complying with 60.442(a)(2), and all 3-hour periods (during actual coating operations) during which the average temperature difference across the catalyst bed is less than 80 percent of the average temperature difference of the device during the most recent performance test complying with 60.442(a)(2).
- G. after the initial performance test required for all affected facilities under 60.8, compliance with the VOC emission limitation and percentage reduction requirements under 60.442 is based on the average emission reduction for one calendar month. A separate compliance test is completed at the end of each calendar month after the initial performance test, and a new calendar month's average VOC emission reduction is calculated to show compliance with the standard.
- H. if a common emission control device is used to recover or destroy solvent from one or more than one affected facility, the performance of that control device is assumed to be equal for each of the affected facilities. Compliance with 60.442(a)(2) is determined by the methods specified in paragraphs 60.443(c) and 60.443(d) and is performed simultaneously on all affected facilities.
- I. startups and shutdowns are normal operation for this source category. Emissions from these operations are to be included when determining if the standard specified at 60.442(a)(2) is being attained.

iii. **Performance Tests** [40 CFR 60.444] –

- A. the performance test for affected facilities controlled by a solvent destruction device shall be conducted as follows:
 - 1. the performance of the solvent destruction device shall be determined by averaging the results of three test runs as specified in 60.8(f).
 - 2. determine for each affected facility prior to each test run the weighted average mass of VOC per mass of coating solids applied being used at the facility. The weighted average shall be determined as specified in 60.443(a). In this application the weight fraction of organics applied of each coating applied during a calendar month as determined from Method 24 or coating manufacturer's formulation data (W_{oi}), the weight fraction of solids applied of each coating applied during a calendar month as determined from Method 24 or coating manufacturer's formulation data (W_{si}), and the total mass (kg) of each coating applied during the calendar month as determined from facility records (M_{ci}) shall be determined for the time period of each test run and not a calendar month as specified in 60.441.
 - 3. calculate the required percent overall VOC emission reduction as specified in 60.443(b).
 - 4. determine the percent overall VOC emission reduction of the solvent destruction device according to the equation found in 60.444(c)(4).
- B. the Permittee shall construct the overall VOC emission reduction system so that all volumetric flow rates and total VOC emissions can be accurately determined by the applicable test methods and procedures specified in 60.446(b).
- C. the Permittee shall construct a temporary total enclosure around the coating line applicator and flashoff area during the performance test for the purpose of capturing fugitive VOC emissions. If a permanent total enclosure exists in the affected facility prior to the performance test and the Administrator is satisfied that the enclosure is totally capturing fugitive VOC emissions, then no additional total enclosure will be required for the performance test.
- D. for each affected facility where the value of R is greater than or equal to the value of R_q calculated in 60.443(b), compliance with 60.442(a)(2) is demonstrated.

iv. **Monitoring/Recordkeeping** [40 CFR 60.445] –

- A. The Permittee shall maintain a calendar month record of all coatings used and the results of the reference test method specified in 60.446(a) or the manufacturer's formulation data used for determining the VOC content of those coatings.
- B. the Permittee operating the facility at the conditions specified in 60.440(b) shall maintain a 12-month record of the amount of solvent applied in the coating at the facility.
- C. the Permittee of an affected facility controlled by a thermal incineration solvent destruction device shall install, calibrate, maintain, and operate a monitoring device which continuously indicates and records the temperature of the solvent destruction device's exhaust gases. The monitoring device shall have an accuracy of the greater of ± 0.75 percent of the temperature being measured expressed in degrees Celsius or $\pm 2.5^\circ\text{C}$.
- D. the Permittee of an affected facility controlled by a catalytic incineration solvent destruction device shall install, calibrate, maintain, and operate a monitoring device which continuously indicates and records the gas temperature both upstream and downstream of the catalyst bed.
- E. the Permittee of an affected facility controlled by a solvent destruction device which uses a hood or enclosure to capture fugitive VOC emissions shall install, calibrate, maintain, and operate a monitoring device which continuously indicates that the hood or enclosure is operating. No continuous monitor shall be required if the Permittee can demonstrate that the hood or enclosure system is interlocked with the affected facility's oven recirculation air system.
- F. records of the measurements required in 60.443 and 60.445 must be retained for at least two years following the date of the measurements.

- v. **Test Methods and Procedures** [40 CFR 60.446] –
 - A. the VOC content per unit of coating solids applied and compliance with 60.442(a)(1) shall be determined by either Reference Method 24 and the equations specified in 60.443 or by manufacturer's formulation data. In the event of any inconsistency between a Method 24 test and manufacturer's formulation data, the Method 24 test will govern. The Administrator may require the Permittee to perform Method 24 tests during such months as he deems appropriate. For Reference Method 24, the coating sample must be a one liter sample taken into a one liter container at a point where the sample will be representative of the coating applied to the web substrate.
 - B. reference Method 25 shall be used to determine the VOC concentration, in parts per million by volume, of each effluent gas stream entering and exiting the solvent destruction device or its equivalent, and each effluent gas stream emitted directly to the atmosphere. Reference Methods 1, 2, 3, and 4 shall be used to determine the sampling location, volumetric flow rate, molecular weight, and moisture of all sampled gas streams. For Reference Method 25, the sampling time for each of the three runs must be at least 1 hour. The minimum sampling volume must be 0.003 dscm except that shorter sampling times or smaller volumes, when necessitated by process variables or other factors, may be approved by the Administrator.
 - C. if the Permittee can demonstrate to the Administrator's satisfaction that testing of representative stacks yields results comparable to those that would be obtained by testing all stacks, the Administrator will approve testing of representative stacks on a case-by-case basis.
- vi. **Reporting** [40 CFR 60.447 and 15A NCAC 02Q .0508(f)] –
 - A. for all affected facilities subject to compliance with 60.442, the performance test data and results from the performance test shall be submitted to the Administrator as specified in 60.8(a) of the General Provisions (40 CFR Part 60, Appendix A).
 - B. following the initial performance test, the Permittee of each affected facility shall submit quarterly reports to the Administrator of exceedances of the VOC emission limits specified in 60.442. If no such exceedances occur during a particular quarter, a report stating this shall be submitted to the Administrator semiannually.
 - C. the Permittee of each affected facility shall also submit reports at the frequency specified in 60.7(c) when the incinerator temperature drops as defined under 60.443(e). If no such periods occur, the Permittee shall state this in the report.
 - D. the requirements of this Subsection remain in force until and unless EPA, in delegating enforcement authority to a State under Section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected sources within the State will be relieved of the obligation to comply with this Subsection, provided that they comply with the requirements established by the State.
 - E. where not specified above, the Permittee shall submit a summary report of the observations postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified. If no exceedances occur during a particular period, a report stating such shall be submitted to the DAQ, Regional Supervisor, Asheville Regional Office postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June.

**5. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS
for 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION**

- a. In order to avoid applicability of 15A NCAC 02D .0530 as requested by the Permittee, the volatile organic compound (VOC) emissions from these sources (**ID Nos. ES101 through ES105 and F1**) shall be less than 250 tons per consecutive twelve month period combined.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the Permittee shall perform such testing in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.5.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.
- c. Under the provisions of NCGS 143-215.108, the Permittee shall demonstrate compliance with the emission limits above by testing:
- the control device (**ID No. CD2**) for VOC destruction efficiency and capture efficiency in accordance with a testing protocol approved by the DAQ **within 90 days of resuming use of VOC based coating** in the polymer film and metal foil coating and laminating operation (**ID No. ES103**).
 - the control device (**ID No. CD-1**) for VOC destruction efficiency and capture efficiency in accordance with a testing protocol approved by the DAQ within 90 days after commencing operation.
 - the control devices (**ID Nos. CD3 and CD4**) for VOC destruction efficiency and capture efficiency in accordance with a testing protocol approved by the DAQ by **July 19, 2014**.

The Permittee shall also determine the average operating temperatures of each control device during these tests. Details of the emissions testing and requirements can be found in Section 3 – General Condition JJ.

Monitoring/Recordkeeping [15A NCAC 02Q .0508(f)]

- d. The Permittee shall calculate the VOC emissions on a monthly basis to ensure compliance with Section 2.1 A.5.a above. VOC emissions shall be calculated by multiplying the total amount of each type of VOC-containing material consumed during the month by the VOC content of the material, and accounting for capture and control efficiency where applicable. VOC emissions from the polymer film and metal coating and laminating operations may be either uncontrolled or controlled by a thermal oxidizer except where control is required by other specific conditions of this permit. VOC emissions emitted from the oxidizers (**ID Nos. CD1 through CD4**) shall be calculated as follows using the results of the most recent tests for the destruction of the oxidizer:

$$\text{VOC}_{\text{oxidizer emissions}} = \sum_{i=1}^4 (\text{VOC's vented to oxidizer}_i) \times (1 - \text{destruction efficiency of oxidizer}_i)$$

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the amounts of VOC containing materials are not monitored and recorded. In addition, the Permittee must make available to officials of the DAQ, upon request, copies of the monthly emissions log.

- e. To comply with the provisions of this permit and ensure that emissions do not exceed the regulatory limits, the Permittee shall perform periodic inspection and maintenance on the thermal oxidizers (**ID Nos. CD1 through CD4**) as recommended by the manufacturer. As a minimum, the Permittee shall perform an annual internal inspection of each of the primary heat exchangers and associated inlet/outlet valves to ensure structural integrity of the systems.
- f. The results of all inspections and any variance from manufacturer's recommendations or from those given in this permit (when applicable) shall be investigated with corrections made and dates of actions recorded in a logbook. Records of all maintenance and monitoring activities shall be recorded in the logbook. The logbook (in written or electronic format) shall be kept on-site and made available to DAQ personnel upon request.
- g. The Permittee shall ensure the proper performance of the thermal oxidizers (**ID Nos. CD1 through CD4**) by monitoring the operating temperatures of each thermal oxidizer (**ID Nos. CD1 through CD4**) shall be monitored using continuous temperature reading and recording instruments. The Permittee shall have

valid monitoring data from at least 90 percent of the hours during which the process operated. The operational temperature shall be measured at the same location used to establish the average operating temperatures during the oxidizer control device VOC destruction efficiency tests required in Section 2.1 A.5.c above. The charts from these instruments shall be kept on-site for a period of two years after the date on which the record was made. These records shall be made available to DAQ personnel upon request. The thermal oxidizers (**ID Nos. CD1 through CD4**) shall be maintained at an operating temperature no less than 50 degrees Fahrenheit below the average temperature recorded during the most recent test of the control device for VOC destruction efficiency.

Reporting [15A NCAC 02Q .0508(f)]

- h. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. The report shall contain the following:
 - i. the monthly VOC emissions for the previous 17 months. The emissions must be calculated for each of the 12 month periods over the previous 17 months; and
 - ii. a description of any deviations from the monitoring and recordkeeping requirements in conditions 2.1 A.5.d through A.5.e above and any corrective actions taken as a result of the deviations.

2.2- Multiple Emission Sources and Specific Limitations and Conditions

A. Facility wide affected sources

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Odors	State-enforceable only Odorous emissions must be controlled	15A NCAC 02D .1806

State-enforceable only

1. 15A NCAC 02D .1806: CONTROL AND PROHIBITION OF ODOROUS EMISSIONS

- a. The Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.

B. Two polymer film and metal foil coating and laminating operations (ID Nos. ES101 and ES102) and associated natural gas-fired thermal oxidizer (ID No. CD1)

One polymer film and metal foil coating and laminating operation (ID No. ES103) and associated natural gas-fired thermal oxidizer (ID No. CD2)

One polymer film and metal foil coating and laminating operation (ID No. ES104) and associated natural gas-fired thermal oxidizer (ID No. CD3)

One polymer film and metal foil tandem coating and laminating operation (ID No. ES105) and associated natural gas-fired thermal oxidizer (ID No. CD4)

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Hazardous air pollutants	National Emission Standards for Hazardous Air Pollutants from Paper and Other Web Coating Operations	15A NCAC 02D .1111 (40 CFR 63, Subpart JJJJ)

Applicability

1. The paper and other web coating operations (**ID Nos. ES101 through ES105**) shall comply with all requirements of 15A NCAC 02D .1111 "Maximum Achievable Control Technology" and 40 CFR Part 63 Subpart JJJJ "National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coatings." For the purpose of this permit condition, the requirements of this Subpart apply to the collection of all web coating lines at the facility including lines engaged in the coating of metal webs that are used in flexible packaging, and web coating lines engaged in the coating of fabric substrates for use in pressure sensitive tape and abrasive materials. This Subpart does not apply to the coating lines specified in 40 CFR 63.3300(a) through (g).

Definitions

2. For the purpose of this permit condition, the definitions and nomenclature contained in 40 CFR 63.3310 shall apply.

Regulated Pollutants

3. This Subpart requires the Permittee to limit organic hazardous air pollutant emissions.

General Provisions

4. The Permittee shall comply with the requirements of 40 CFR Part 63 Subpart A “General Provisions”, according to the applicability of Subpart A to such sources as identified in Table 2 of Subpart JJJJ: General Provisions Applicability to Subpart JJJJ.

Compliance Statement

5. Failure to comply with the applicable standards and dates contained in 40 CFR 63.3320 through 40 CFR 63.3330, general requirements for compliance with the emission standards and for monitoring and performance tests contained in 40 CFR 63.3340 through 40 CFR 63.3360, requirements for showing compliance contained in 40 CFR 63.3370, and all notifications, reports and records contained in 40 CFR 63.3400 and 40 CFR 63.3410, as described below, shall be considered a violation of Subpart JJJJ.

63.3320-63.3321 Emission Standards and Operating Limits

6. a. The Permittee of an affected source subject to the requirements of this Subpart must comply with the following requirements on and after the compliance dates as specified in 40 CFR 63.3330. The Permittee shall demonstrate compliance with this Subpart by following the procedures in 40 CFR 63.3370.

The Permittee shall limit organic HAP emissions through one of the options listed below:

Emission sources	Emission Limits
Existing sources	-No more than 5 percent of the organic HAP applied for each month (95 percent reduction)
New sources	-No more than 2 percent of the organic HAP applied for each month (90 percent reduction)
Existing sources	-No more than 4 percent of the mass of coating materials applied for each month
New sources	-No more than 1.6 percent of the mass of coating materials applied for each month
Existing sources	-No more than 20 percent of the mass of coating solids applied for each month
New sources	-No more than 8 percent of the mass of coating solids applied for each month
All sources using an oxidizer to control organic HAP emissions	-Operate the oxidizer such that an outlet organic HAP concentration of no greater than 20 parts per million by volume (ppmv) by compound on a dry basis is achieved AND the efficiency of the capture system is 100 percent.

- b. The Permittee of an affected source using an add-on control device, other than a solvent recovery system with liquid-liquid material balance, shall meet the operating limits specified in Table 1 of this Subpart. If the Permittee uses an add-on control device other than those listed in Table 1 of this Subpart or wishes to monitor an alternative parameter and comply with a different operating limit, he must apply to the Administrator for approval under 40 CFR 63.8(f).
- These operating limits apply to emission capture systems and control devices, and
 - The Permittee must establish the operating limits during the performance test according to the requirements in 40 CFR 63.3360(e)(3) and shall meet those limits at all times after they are established.

63.3350 Monitoring Requirements for Control Devices used to Comply with the Emission Standards

- 7 a. Following the date on which the initial performance test of a control device is completed to demonstrate continuing compliance with the standards, the Permittee shall monitor and inspect each capture system and each control device used to comply with 40 CFR 63.3320. The Permittee shall install and operate the monitoring equipment as specified below:

If you operate a web coating line, and have the following:	Then you must:
Intermittently-controlled work stations Solvent recovery units Control device Capture system	-Record parameters related to possible exhaust flow bypass of control device and to coating use (40 CFR 63.3350(c)) -Operate continuous emission monitoring system and perform quarterly audits or determine volatile matter recovered and conduct a liquid-liquid material balance (40 CFR 63.3350(d)) -Operate continuous parameter monitoring system (40 CFR 63.3350(e)) -Monitor capture system operating parameter (40 CFR 63.3350(f))

63.3360 Performance Tests

8. a. The Permittee shall conduct the following performance tests:

If you control organic HAP on any individual web coating line or any group of web coating lines by:	You must:
Limiting organic HAP or volatile matter content of coatings	-Determine the organic HAP or volatile matter and coating solids of coating materials according to procedures in 40 CFR 63.3360(c) and (d). If applicable, determine the mass of volatile matter retrained in the coated web or otherwise not emitted to the atmosphere according to 40 CFR 63.3360(g)
Using a capture and control system	-Conduct a performance test for each capture system to determine the destruction or removal efficiency of each control device other than solvent recovery according to 40 CFR 63.3360(e), and the capture efficiency of each capture system according to 40 CFR 63.3360(f). If applicable, determine the mass of volatile matter retrained in the coated web or otherwise not emitted to the atmosphere according to 40 CFR 63.3360(g).

- b. If the control device is being used to comply with the emission standards in 40 CFR 63.3320, the Permittee is not required to conduct a performance test to demonstrate compliance if one or more of the criteria in 40 CFR 63.3360(b)(1) through (3) are met.

63.3370 Compliance Demonstrations

9. a. The Permittee shall demonstrate compliance according to the following:

If you choose to demonstrate compliance by:	Then you must demonstrate that:	To accomplish this:
(1) Use of “as-purchased” compliant coating materials.	(i) Each coating material used at an existing affected source does not exceed 0.04 kg organic HAP per kg coating material, and each coating material used at a new affected source does not exceed 0.016 kg organic HAP per kg coating material as-purchased; or (ii) Each coating material used at an existing affected source does not exceed 0.2 kg organic HAP per kg coating solids, and each coating material used at a new affected source does not exceed 0.08 kg organic HAP per kg coating solids as-purchased.	Follow the procedures set out in 63.3370(b). Follow the procedures set out in 63.3370(b).

If you choose to demonstrate compliance by:	Then you must demonstrate that:	To accomplish this:
(2) Use of “as-applied” compliant coating materials.	<p>(i) Each coating material used at an existing affected source does not exceed 0.04 kg organic HAP per kg coating material, and each coating material used at a new affected source does not exceed 0.016 kg organic HAP per kg coating material as-applied;</p> <p>or</p> <p>(ii) Each coating material used at an existing affected source does not exceed 0.2 kg organic HAP per kg coating solids, and each coating material used at a new affected source does not exceed 0.08 kg organic HAP per kg coating solids as-applied;</p> <p>or</p> <p>(iii) Monthly average of all coating materials used at an existing affected source does not exceed 0.04 kg organic HAP per kg coating material, and monthly average of all coating materials used at a new affected source does not exceed 0.016 kg organic HAP per kg coating material as-applied on a monthly average basis;</p> <p>or</p> <p>(iv) Monthly average of all coating materials used at an existing affected source does not exceed 0.2 kg organic HAP per kg coating solids, and monthly average of all coating materials used at a new affected source does not exceed 0.08 kg organic HAP per kg coating solids as-applied on a monthly average basis.</p>	<p>Follow the procedures set out in 63.3370(c)(1). Use either Equation 1a or b of 63.3370 to determine compliance with 63.3320(b)(2) in accordance with 63.3370(c)(5)(i).</p> <p>Follow the procedures set out in 63.3370(c)(2). Use Equations 2 and 3 of 63.3370 to determine compliance with 63.3320(b)(3) in accordance with 63.3370(c)(5)(i).</p> <p>Follow the procedures set out in 63.3370(c)(3). Use Equation 4 of 63.3370 to determine compliance with 63.3320(b)(2) in accordance with 63.3370(c)(5)(ii).</p> <p>Follow the procedures set out in 63.3370(c)(4). Use Equation 5 of 63.3370 to determine compliance with 63.3320(b)(3) in accordance with 63.3370(c)(5)(ii).</p>
(3) Tracking total monthly organic HAP applied	Total monthly organic HAP applied does not exceed the calculated limit based on emission limitations.	Follow the procedures set out in 63.3370(d). Show that total monthly HAP applied (Equation 6 of 63.3370) is less than the calculated equivalent allowable organic HAP (Equation 13a or b of 63.3370).

If you choose to demonstrate compliance by:	Then you must demonstrate that:	To accomplish this:
(4) Use of a capture system and control device	<p>(i) Overall organic HAP control efficiency is equal to 95 percent at an existing affected source and 98 percent at a new affected source on a monthly basis; or oxidizer out-let organic HAP concentration is no greater than 20 ppmv by compound and capture efficiency is 100 percent; or operating parameters are continuously monitored;</p> <p>or</p> <p>(ii) Overall organic HAP emission rate does not exceed 0.2 kg organic HAP per kg coating solids for an existing affected source or 0.08 kg organic HAP per kg coating solids for a new affected source on a monthly average as-applied basis;</p> <p>or</p> <p>(iii) Overall organic HAP emission rate does not exceed 0.04 kg organic HAP per kg coating material for an existing affected source or 0.016 kg organic HAP per kg coating material for a new affected source on a monthly average as-applied basis;</p> <p>or</p> <p>(iv) Overall organic HAP emission rate does not exceed the calculated limit based on emission limitations.</p>	<p>Follow the procedures set out in 63.3370(e) to determine compliance with 63.3320(b)(1) according to 63.3370(i) if using a solvent recovery device, or 63.3370(j) if using a control device and CPMS, or 63.3370(k) if using an oxidizer.</p> <p>Follow the procedures set out in 63.3370(f) to determine compliance with 63.3320(b)(3) according to 63.3370(i) if using a solvent recovery device, or 63.3370(k) if using an oxidizer.</p> <p>Follow the procedures set out in 63.3370(g) to determine compliance with 63.3320(b)(2) according to 63.3370(i) if using a solvent recovery device, or 63.3370(k) if using an oxidizer.</p> <p>Follow the procedures set out in 63.3370(h). Show that the monthly organic HAP emission rate is less than the calculated equivalent allowable organic HAP emission rate (Equation 13a or b of 63.3370). Calculate the monthly organic HAP emission rate according to 63.3370(i) if using a solvent recovery device, or 63.3370(k) if using an oxidizer.</p>

If you choose to demonstrate compliance by:	Then you must demonstrate that:	To accomplish this:
(5) Use of multiple capture and/or control devices.	<p>(i) Overall organic HAP control efficiency is equal to 95 percent at an existing affected source and 98 percent at a new affected source on a monthly basis;</p> <p>or</p> <p>(ii) Average equivalent organic HAP emission rate does not exceed 0.2 kg organic HAP per kg coating solids for an existing affected source or 0.08 kg organic HAP per kg coating solids for a new affected source on a monthly average as-applied basis;</p> <p>or</p> <p>(iii) Average equivalent organic HAP emission rate does not exceed 0.04 kg organic HAP per kg coating material for an existing affected source or 0.016 kg organic HAP per kg coating material for a new affected source on a monthly average as-applied basis;</p> <p>or</p> <p>(iv) Average equivalent organic HAP emission rate does not exceed the calculated limit based on emission limitations.</p>	<p>Follow the procedures set out in 63.3370(e) to determine compliance with 63.3320(b)(1) according to 63.3370(e)(1) or (2).</p> <p>Follow the procedures set out in 63.3370(f) to determine compliance with 63.3320(b)(3) according to 63.3370(n).</p> <p>Follow the procedures set out in 63.3370(g) to determine compliance with 63.3320(b)(2) according to 63.3370(n).</p> <p>Follow the procedures set out in 63.3370(h). Show that the monthly organic HAP emission rate is less than the calculated equivalent allowable organic HAP emission rate (Equation 13a or b of 63.3370) according to 63.3370(n).</p>

If you choose to demonstrate compliance by:	Then you must demonstrate that:	To accomplish this:
(6) Use of a combination of compliant coatings and control devices.	<p>(i) Average equivalent organic HAP emission rate does not exceed 0.2 kg organic HAP per kg coating solids for an existing affected source or 0.08 kg organic HAP per kg coating solids for a new affected source on a monthly average as-applied basis;</p> <p>or</p> <p>(ii) Average equivalent organic HAP emission rate does not exceed 0.04 kg organic HAP per kg coating material for an existing affected source or 0.016 kg organic HAP per kg coating material for a new affected source on a monthly average as-applied basis;</p> <p>or</p> <p>(iii) Average equivalent organic HAP emission rate does not exceed the calculated limit based on emission limitations.</p>	<p>Follow the procedures set out in 63.3370(f) to determine compliance with 63.3320(b)(3) according to 63.3370(n).</p> <p>Follow the procedures set out in 63.3370(g) to determine compliance with 63.3320(b)(2) according to 63.3370(n).</p> <p>Follow the procedures set out in 63.3370(h). Show that the monthly organic HAP emission rate is less than the calculated equivalent allowable organic HAP emission rate (Equation 13a or b of 63.3370) according to 63.3370(n).</p>

63.3400 Notifications and Reporting

10. a. The Permittee shall submit all required reports and notifications according to the following schedule:

Event	Existing Sources	New/Reconstructed Sources
Submit Initial Notification	December 5, 2004	Within 120 days from start-up or April 3, 2003 (whichever is later)
Submit Notification of Intent to Conduct Performance Test	At least 60 days before the performance test is scheduled to begin, but no later than April 4, 2006	By April 3, 2003 or at least 60 days before the performance test is scheduled to begin (whichever is later)
Conduct Initial Performance Test	No later than June 3, 2006	By June 2, 2003, or within 180 days from startup (whichever is later)
Performance Test Report	Within 60 days after completing the initial performance test, but no later than August 2, 2006 (submit results with the "Notification of Compliance Status" report)	By August 1, 2003 or within 240 days after initial startup (whichever is later; submit with the "Notification of Compliance Status" report)

Event	Existing Sources	New/Reconstructed Sources
Notification of Compliance Status	No later than August 2, 2006	No later than August 1, 2003, or within 60 days following the completion of the performance test
Semiannual Compliance Reports	No later than July 31, 2006 and semiannually thereafter	No later than July 31 or January 31, whichever date is the first date after the end of the initial compliance date, and semiannually on July 31 or January 31 thereafter

- b. The Permittee shall submit the initial notification as required by 40 CFR 63.9(b). The Permittee may submit a title V application in lieu of this initial notification provided it contains the same information as required by 40 CFR 63.9(b) and is submitted by the same date specified above.
- c. The Permittee shall submit a semiannual compliance report according to the schedules above. The report shall contain all elements as described in 40 CFR 63.3400(c)(2)(i) through (vi).
- d. The Permittee shall submit a notification of performance test as specified in 40 CFR 63.7 and 63.9(e) if he is complying with the emission standards in this Subpart using a control device that is required to have a performance test. This notification and the site-specific test plan required under 40 CFR 63.7(c)(2) shall identify the operating parameters to be monitored to ensure that the capture efficiency of the capture system and the control efficiency of the control device determined during the performance test are maintained.
- e. The Permittee shall submit the notification of compliance status as specified in 40 CFR 63.9(h).
- f. The Permittee shall submit performance test reports as specified in 40 CFR 63.10(d)(2) if a control device is being used to comply with the emission standards in this Subpart and you have not obtained a waiver from the performance test requirement or you are not exempted from this requirement by 40 CFR 63.3360(b).
- g. The Permittee shall submit a startup, shutdown, and malfunction report as specified in 40 CFR 63.10(d)(5), except that the provisions in Subpart A of this part pertaining to startups, shutdowns, and malfunctions do not apply unless a control device is used to comply with this Subpart.

63.3410 Recordkeeping

- 11. a. The Permittee shall maintain the following records on a monthly basis in accordance with the requirements of 40 CFR 63.10(b)(1).
 - i. records specified in 40 CFR 63.10(b)(2) of all measurements needed to demonstrate compliance with this standard as outlined in 40 CFR 63.3410(a)(1)(i) through (vi);
 - ii. records specified in 40 CFR 63.10(c) for each CMS operated in accordance with the requirements of 40 CFR 63.3350(b).
- b. The Permittee shall maintain records of all liquid-liquid material balances performed in accordance with the requirements of 40 CFR 63.3370. The records must be maintained in accordance with the requirements of 40 CFR 63.10(b).

SECTION 3 - GENERAL CONDITIONS (version 4.0 12/17/15)

This section describes terms and conditions applicable to this Title V facility.

A. **General Provisions** [NCGS 143-215 and 15A NCAC 02Q .0508(i)(16)]

1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 02D and 02Q.
2. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by the DAQ.
3. This permit is not a waiver of or approval of any other Department permits that may be required for other aspects of the facility which are not addressed in this permit.
4. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.
6. Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the DAQ, unless the source is exempted by rule. The DAQ may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.

B. **Permit Availability** [15A NCAC 02Q .0507(k) and .0508(i)(9)(B)]

The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of Department of Environmental Quality upon request.

C. **Severability Clause** [15A NCAC 02Q .0508(i)(2)]

In the event of an administrative challenge to a final and binding permit in which a condition is held to be invalid, the provisions in this permit are severable so that all requirements contained in the permit, except those held to be invalid, shall remain valid and must be complied with.

D. **Submissions** [15A NCAC 02Q .0507(e) and 02Q .0508(i)(16)]

Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

Supervisor, Stationary Source Compliance
North Carolina Division of Air Quality
1641 Mail Service Center
Raleigh, NC 27699-1641

All submittals shall include the facility name and Facility ID number (refer to the cover page of this permit).

E. **Duty to Comply** [15A NCAC 02Q .0508(i)(3)]

The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

F. **Circumvention** - STATE ENFORCEABLE ONLY

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

G. **Permit Modifications**

1. Administrative Permit Amendments [15A NCAC 02Q .0514]
The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 02Q .0514.
2. Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 02Q .0524 and 02Q .0505]
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 02Q.0524 and 02Q .0505.
3. Minor Permit Modifications [15A NCAC 02Q .0515]
The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 02Q .0515.
4. Significant Permit Modifications [15A NCAC 02Q .0516]
The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 02Q .0516.
5. Reopening for Cause [15A NCAC 02Q .0517]
The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 02Q .0517.

H. **Changes Not Requiring Permit Modifications**

1. Reporting Requirements
Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the Regional Supervisor, DAQ:
 - a. changes in the information submitted in the application;
 - b. changes that modify equipment or processes; or
 - c. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

2. Section 502(b)(10) Changes [15A NCAC 02Q .0523(a)]
 - a. "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
 - b. The Permittee may make Section 502(b)(10) changes without having the permit revised if:
 - i. the changes are not a modification under Title I of the Federal Clean Air Act;
 - ii. the changes do not cause the allowable emissions under the permit to be exceeded;
 - iii. the Permittee notifies the Director and EPA with written notification at least seven days before the change is made; and
 - iv. the Permittee shall attach the notice to the relevant permit.
 - c. The written notification shall include:
 - i. a description of the change;
 - ii. the date on which the change will occur;
 - iii. any change in emissions; and
 - iv. any permit term or condition that is no longer applicable as a result of the change.
 - d. Section 502(b)(10) changes shall be made in the permit the next time that the permit is revised or renewed, whichever comes first.
3. Off Permit Changes [15A NCAC 02Q .0523(b)]
The Permittee may make changes in the operation or emissions without revising the permit if:
 - a. the change affects only insignificant activities and the activities remain insignificant after the change; or
 - b. the change is not covered under any applicable requirement.
4. Emissions Trading [15A NCAC 02Q .0523(c)]
To the extent that emissions trading is allowed under 15A NCAC 02D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 02Q .0523(c).

- I.A. Reporting Requirements for Excess Emissions and Permit Deviations** [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]
- "Excess Emissions" - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Subchapter 02D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 02Q .0700. (*Note: Definitions of excess emissions under 02D .1110 and 02D .1111 shall apply where defined by rule.*)

"Deviations" - for the purposes of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions as well as excess emissions as defined above lasting less than four hours.

Excess Emissions

1. If a source is required to report excess emissions under NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
2. If the source is not subject to NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 02D .0535 as follows:
 - a. Pursuant to 15A NCAC 02D .0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:
 - i. notify the Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Time of the Division's next business day of becoming aware of the occurrence and provide:
 - name and location of the facility;
 - nature and cause of the malfunction or breakdown;
 - time when the malfunction or breakdown is first observed;
 - expected duration; and
 - estimated rate of emissions;
 - ii. notify the Regional Supervisor or Director immediately when corrective measures have been accomplished; and
 - iii. submit to the Regional Supervisor or Director within 15 days a written report as described in 15A NCAC 02D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 02Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
 - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 02D .0535 quarterly. A written report to the Regional Supervisor shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

I.B. Other Requirements under 15A NCAC 02D .0535

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director, that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

J. Emergency Provisions [40 CFR 70.6(g)]

The Permittee shall be subject to the following provisions with respect to emergencies:

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3. below are met.
3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
 - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
 - b. the permitted facility was at the time being properly operated;
 - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
 - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

K. **Permit Renewal** [15A NCAC 02Q .0508(e) and 02Q .0513(b)]

This 15A NCAC 02Q .0500 permit is issued for a fixed term not to exceed five years and shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete 15A NCAC 02Q .0500 renewal application is submitted at least nine months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 02Q .0512(b)(1), this 15A NCAC 02Q .0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under 15A NCAC 02Q .0400 terminates the facility's right to operate unless a complete 15A NCAC 02Q .0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 02Q .0400 requirements. In either of these events, all terms and conditions of these permits shall remain in effect until the renewal permits have been issued or denied.

L. **Need to Halt or Reduce Activity Not a Defense** [15A NCAC 02Q .0508(i)(4)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

M. **Duty to Provide Information (submittal of information)** [15A NCAC 02Q .0508(i)(9)]

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

N. **Duty to Supplement** [15A NCAC 02Q .0507(f)]

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

O. **Retention of Records** [15A NCAC 02Q .0508(f) and 02Q .0508 (l)]

The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request.

P. **Compliance Certification** [15A NCAC 02Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the entire year regardless of who owned the facility during the year. The compliance certification shall

comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

1. the identification of each term or condition of the permit that is the basis of the certification;
2. the compliance status (with the terms and conditions of the permit for the period covered by the certification);
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source during the certification period.

Q. Certification by Responsible Official [15A NCAC 02Q .0520]

A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

R. Permit Shield for Applicable Requirements [15A NCAC 02Q .0512]

1. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.
2. A permit shield shall not alter or affect:
 - a. the power of the Commission, Secretary of the Department, or Governor under NCGS 143-215.3(a)(12), or EPA under Section 303 of the Federal Clean Air Act;
 - b. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
 - c. the applicable requirements under Title IV; or
 - d. the ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.
3. A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under 15A NCAC 02Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 02Q .0515.

S. Termination, Modification, and Revocation of the Permit [15A NCAC 02Q .0519]

The Director may terminate, modify, or revoke and reissue this permit if:

1. the information contained in the application or presented in support thereof is determined to be incorrect;
2. the conditions under which the permit or permit renewal was granted have changed;
3. violations of conditions contained in the permit have occurred;
4. the EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or
5. the Director finds that termination, modification, or revocation and reissuance of the permit is necessary to carry out the purpose of NCGS Chapter 143, Article 21B.

T. Insignificant Activities [15A NCAC 02Q .0503]

Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The Permittee shall have available at the facility at all times and made available to an authorized representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

U. Property Rights [15A NCAC 02Q .0508(i)(8)]

This permit does not convey any property rights in either real or personal property or any exclusive privileges.

V. Inspection and Entry [15A NCAC 02Q .0508(l) and NCGS 143-215.3(a)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, or an authorized representative, to perform the following:
 - a. enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;
 - b. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
 - c. inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
 - d. sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

Nothing in this condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee under Section 114 or other provisions of the Federal Clean Air Act.

2. No person shall refuse entry or access to any authorized representative of the DAQ who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

W. **Annual Fee Payment** [15A NCAC 02Q .0508(i)(10)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 02Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environmental Quality. Annual permit fee payments shall refer to the permit number.
3. If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under 15A NCAC 02Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 02Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 02Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 02Q .0107 and 02Q .0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 02Q .0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with 15A NCAC 02Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 02Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 02Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 02Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 02Q .0505 and .0507.

BB. **Financial Responsibility and Compliance History** [15A NCAC 02Q .0507(d)(4)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. **Refrigerant Requirements (Stratospheric Ozone and Climate Protection)** [15A NCAC 02Q .0501(e)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. **Prevention of Accidental Releases - Section 112(r)** [15A NCAC 02Q .0508(h)]

If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

EE. **Prevention of Accidental Releases General Duty Clause - Section 112(r)(1)** – FEDERALLY-ENFORCEABLE ONLY

Although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary to prevent the accidental release of such substance and to minimize the consequences of any release.

FF. **Title IV Allowances** [15A NCAC 02Q .0508(i)(1)]

This permit does not limit the number of Title IV allowances held by the Permittee, but the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement. The Permittee's emissions may not exceed any allowances that the facility lawfully holds under Title IV of the Federal Clean Air Act.

GG. **Air Pollution Emergency Episode** [15A NCAC 02D .0300]

Should the Director of the DAQ declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in 15A NCAC 02D .0300.

HH. **Registration of Air Pollution Sources** [15A NCAC 02D .0202]

The Director of the DAQ may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with 15A NCAC 02D .0202(b).

II. **Ambient Air Quality Standards** [15A NCAC 02D .0501(c)]

In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in 15A NCAC 02D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

JJ. **General Emissions Testing and Reporting Requirements** [15A NCAC 02Q .0508(i)(16)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .0912, .1110, .1111, or .1415 of Subchapter 02D. If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 02D .2600 and follow the procedures outlined below:

1. The owner or operator of the source shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved by the Director prior to air pollution testing. The Director shall review air emission testing protocols for pre-approval prior to testing if requested by the owner or operator at least **45 days** before conducting the test.
2. Any person proposing to conduct an emissions test to demonstrate compliance with an applicable standard shall notify the Director at least **15 days** before beginning the test so that the Director may at his option observe the test.
3. The owner or operator of the source shall arrange for controlling and measuring the production rates during the period of air testing. The owner or operator of the source shall ensure that the equipment or process being tested is operated at the production rate that best fulfills the purpose of the test. The individual conducting the emission test shall describe the procedures used to obtain accurate process data and include in the test report the average production rates determined during each testing period.
4. Two copies of the final air emission test report shall be submitted to the Director not later than **30 days** after sample collection unless otherwise specified in the specific conditions. The owner or operator may request an extension to submit the final test report. The Director shall approve an extension request if he finds that the extension request is a result of actions beyond the control of the owner or operator.
 - a. The Director shall make the final determination regarding any testing procedure deviation and the validity of the compliance test. The Director may:
 - i. Allow deviations from a method specified under a rule in this Section if the owner or operator of the source being tested demonstrates to the satisfaction of the Director that the specified method is inappropriate for the source being tested.
 - ii. Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
 - iii. Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
 - b. The Director may authorize the Division of Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in Section 02D .2600 has precedence over all other tests.

KK. Reopening for Cause [15A NCAC 02Q .0517]

1. A permit shall be reopened and revised under the following circumstances:
 - a. additional applicable requirements become applicable to a facility with remaining permit term of three or more years;
 - b. additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;
 - c. the Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
 - d. the Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
2. Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to 15A NCAC 02Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 02Q .0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.
4. The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.
5. Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

LL. Reporting Requirements for Non-Operating Equipment [15A NCAC 02Q .0508(i)(16)]

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. During operation the monitoring recordkeeping and reporting requirements as prescribed by the permit shall be implemented within the monitoring period.

MM. Fugitive Dust Control Requirement [15A NCAC 02D .0540] - STATE ENFORCEABLE ONLY

As required by 15A NCAC 02D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).

NN. Specific Permit Modifications [15A NCAC 02Q.0501 and .0523]

1. For modifications made pursuant to 15A NCAC 02Q .0501(c)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.
2. For modifications made pursuant to 15A NCAC 02Q .0501(d)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), in accordance with 15A NCAC 02Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA - Air Planning Branch, 61 Forsyth Street SW, Atlanta, GA 30303) in writing at least seven days before the change is made. The written notification shall include:
 - a. a description of the change at the facility;
 - b. the date on which the change will occur;
 - c. any change in emissions; and
 - d. any permit term or condition that is no longer applicable as a result of the change.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the

application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

OO. **Third Party Participation and EPA Review** [15A NCAC 02Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environmental Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to 15A NCAC 02Q .0518 begins at the end of the 45-day EPA review period.

DRAFT

ATTACHMENT

List of Acronyms

AOS	Alternate Operating Scenario
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
DAQ	Division of Air Quality
DEQ	Department of Environmental Quality
EMC	Environmental Management Commission
EPA	Environmental Protection Agency
FR	Federal Register
GACT	Generally Available Control Technology
HAP	Hazardous Air Pollutant
MACT	Maximum Achievable Control Technology
NAA	Non-Attainment Area
NCAC	North Carolina Administrative Code
NCGS	North Carolina General Statutes
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
OAH	Office of Administrative Hearings
PM	Particulate Matter
PM₁₀	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
RACT	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound